

D27L00
Maryland Commission on Civil Rights

Executive Summary

The Maryland Commission on Civil Rights (MCCR) resolves allegations of discrimination through conciliation, mediation, investigation, and litigation in the areas of employment, housing, and public accommodations.

Operating Budget Data

(\$ in Thousands)

	<u>FY 18</u> <u>Actual</u>	<u>FY 19</u> <u>Working</u>	<u>FY 20</u> <u>Allowance</u>	<u>FY 19-20</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$2,462	\$2,528	\$2,612	\$84	3.3%
Adjustments	0	16	69	53	
Adjusted General Fund	\$2,462	\$2,544	\$2,681	\$138	5.4%
Special Fund	61	0	90	90	100.0%
Adjustments	0	0	0	0	
Adjusted Special Fund	\$61	\$0	\$90	\$90	100.0%
Federal Fund	582	771	813	42	5.4%
Adjustments	0	4	14	10	
Adjusted Federal Fund	\$582	\$775	\$827	\$52	6.7%
Reimbursable Fund	10	0	0	0	0.0%
Adjustments	0	0	0	0	
Adjusted Reimbursable Fund	\$10	\$0	\$0	\$0	0.0%
Adjusted Grand Total	\$3,115	\$3,319	\$3,598	\$279	8.4%

Note: The fiscal 2019 appropriation includes deficiencies, a one-time \$500 bonus, and general salary increases. The fiscal 2020 allowance includes general salary increases.

Note: Numbers may not sum to total due to rounding.

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D27L00 – Maryland Commission on Civil Rights

- The adjusted fiscal 2020 allowance increases \$279,000, or 8.4%, from the adjusted fiscal 2019 working appropriation. Cost increase due to the fiscal 2020 general salary increase, annualization of the fiscal 2019 general salary increase, and higher charges for services provided by the Department of Information Technology.
- The fiscal 2020 allowance includes \$90,000 in special funds for anticipated revenues associated with sponsorships and ticket sales for the biannual MCCR Gala.

Personnel Data

	<u>FY 18</u> <u>Actual</u>	<u>FY 19</u> <u>Working</u>	<u>FY 20</u> <u>Allowance</u>	<u>FY 19-20</u> <u>Change</u>
Regular Positions	31.00	31.00	31.00	0.00
Contractual FTEs	<u>0.00</u>	<u>2.00</u>	<u>2.00</u>	<u>0.00</u>
Total Personnel	31.00	33.00	33.00	0.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	0.61	1.98%
Positions and Percentage Vacant as of 12/31/18	2.00	6.45%

- There are currently no changes in personnel for the agency. The current vacancy rate is 6.45%, or 2 positions, resulting from 1 retirement and 1 resignation.

Key Observations

- The budget for MCCR remains relatively stable. The agency has continued to meet necessary benchmarks. At the same time, there has been a consistent need for more personnel within the agency as fluctuations in Managing for Results measures are directly related to the transition of personnel.

Operating Budget Recommended Actions

1. Concur with Governor’s allowance.

D27L00
Maryland Commission on Civil Rights

Operating Budget Analysis

Program Description

The Maryland Commission on Civil Rights (MCCR) resolves allegations of discrimination through conciliation, mediation, investigation, and litigation in the areas of employment, housing, and public accommodations. In particular, MCCR resolves allegations of discrimination on the basis of race, color, creed, ancestry, religion, sex, age, sexual orientation, national origin, marital status, familial status, genetic information, and physical or mental disability. MCCR maintains work sharing arrangements and contracts with the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD) to supplement its efforts related to employment and fair housing. MCCR engages in cooperative efforts with federal, State, local, and private agencies with comparable interests, legal authority, or both.

In addition, MCCR enforces the State of Maryland's Commercial Nondiscrimination Policy. The policy prohibits the State from contracting with business entities, both public and private, that discriminate in the solicitation, selection, hiring, or treatment of vendors, suppliers, subcontractors, or commercial customers.

MCCR, through education and outreach efforts, seeks to improve community relations and foster a better understanding of the law, thereby reducing the potential number of complaints.

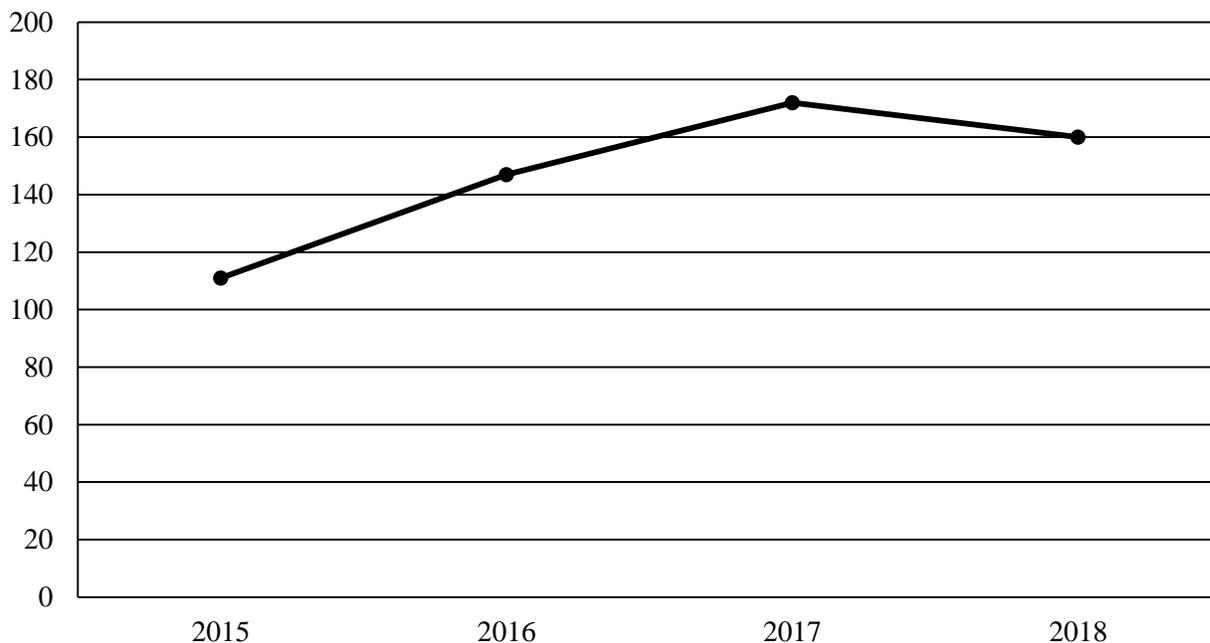
The key goals of MCCR are to improve equal opportunity in Maryland through the use of effective, creative, and efficient case processing activities and to reduce, eliminate, or resolve instances of unlawful discrimination.

Performance Analysis: Managing for Results

1. Outreach Activities

The Education and Outreach (E&O) Unit was reconstituted in 2013 and is responsible for creating and providing educational programming, materials, and support for businesses, State and local government, nonprofits, and community organizations. **Exhibit 1** outlines the number of activities hosted or attended by MCCR from fiscal 2015 to 2018. After consistent increases in programming, there was a slight decrease in fiscal 2018. One of the staff in the E&O Unit was transferred out of the unit, resulting in fewer staff to host and attend programs. In addition, some of the winter activities were canceled due to weather.

Exhibit 1
Outreach Activities Hosted and Attended
Fiscal 2015-2018



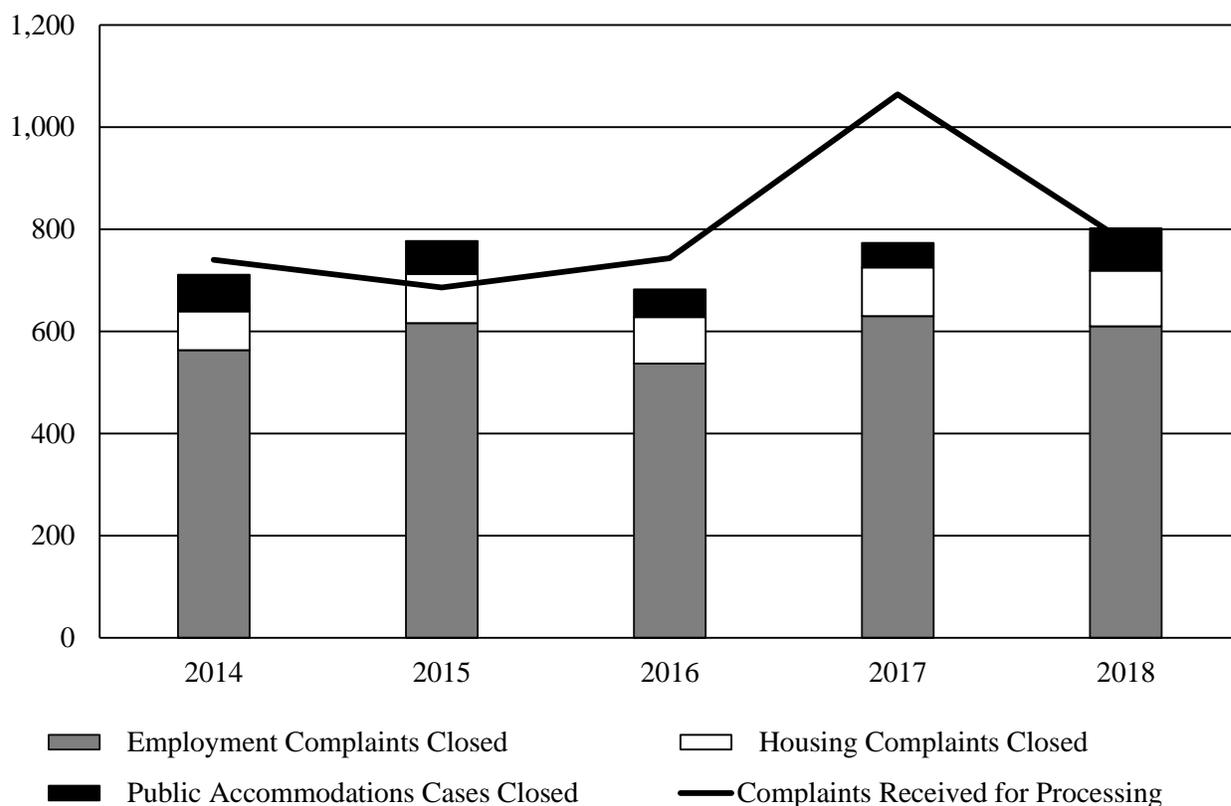
Source: Maryland Commission on Civil Rights

2. Complaints Processed

MCCR’s Case Processing Unit takes discrimination, harassment, and retaliation complaints from anyone who believes that they have been treated unfairly with regard to employment, housing, public accommodation, or State commercial contracts because of their race, color, religion, sex, age, familial status, national origin, marital status, disability, genetic information, sexual orientation, or gender identity. MCCR receives complaints directly and, when appropriate, also files federal complaints on behalf of the complainant with EEOC and HUD.

To file a Complaint of Discrimination, the complainant must provide a written and signed complaint within six months of the alleged incident in cases regarding employment or public accommodation and within one year of an incident regarding housing. Inquiries about the complaint process can be made by telephone, email, fax, or traditional mail. **Exhibit 2** outlines the number of complaints received and closed for fiscal 2014 to 2018. Complaints peaked in fiscal 2017 in part due to the social climate during and after the Presidential election. The number of complaints received in fiscal 2018 has returned to levels more similar to historical complaints received. At the same time, there has been an increase in complaints closed.

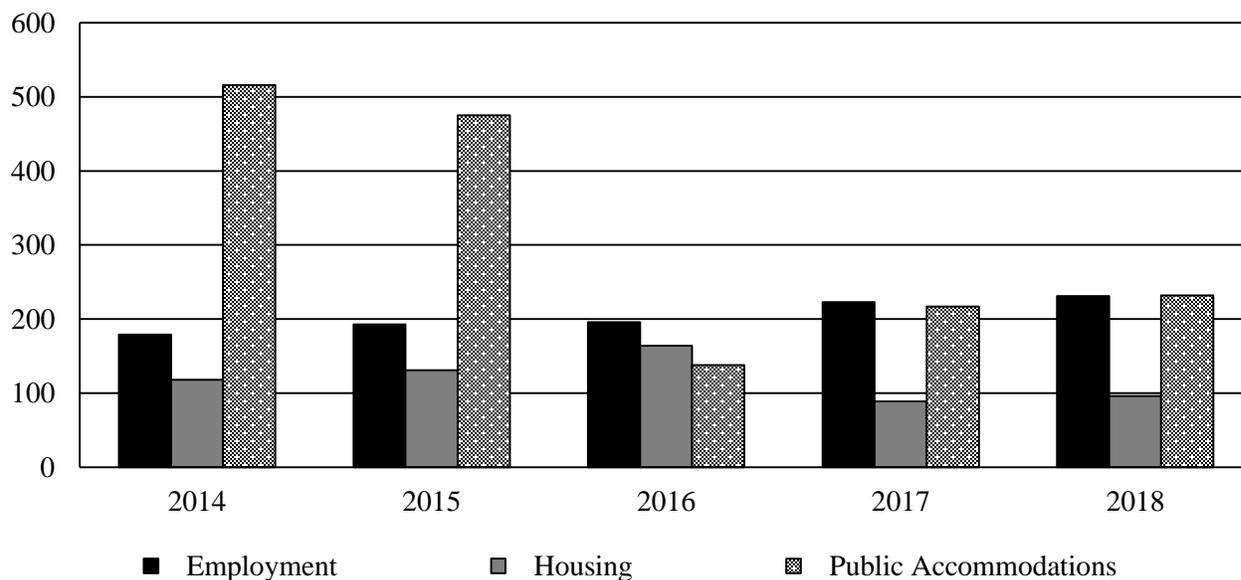
**Exhibit 2
Complaints Received and Closed
Fiscal 2014-2018**



Source: Maryland Commission on Civil Rights

Exhibit 3 shows the average number of days to process complaints for each complaint type. Public accommodation complaint closure times have improved since fiscal 2015, largely because there were some outstanding complaints that have since been closed. Since fiscal 2016, the number of public accommodation cases has increased, and the number of days to close the complaints has paralleled that increase. Housing complaint closure times increased slightly in fiscal 2018 as a result of an increase in retaliation charges in addition to the original housing complaints. The number of days to close employment cases has consistently increased since fiscal 2014. Employment complaints are 81% of total complaints received. In recent years, there has been an increase in sexual harassment complaints, in part due to the prevalence of the #MeToo Movement as well as an increase in retaliation complaints. MCCR has had some success in obtaining the necessary evidence to substantiate retaliation complaints, but because these are charges in addition to the initial complaint, the process to close the complaint takes longer.

Exhibit 3
Average Days of Processing Complaints
Fiscal 2014-2018



Source: Maryland Commission on Civil Rights

Fiscal 2019 Actions

Proposed Deficiency

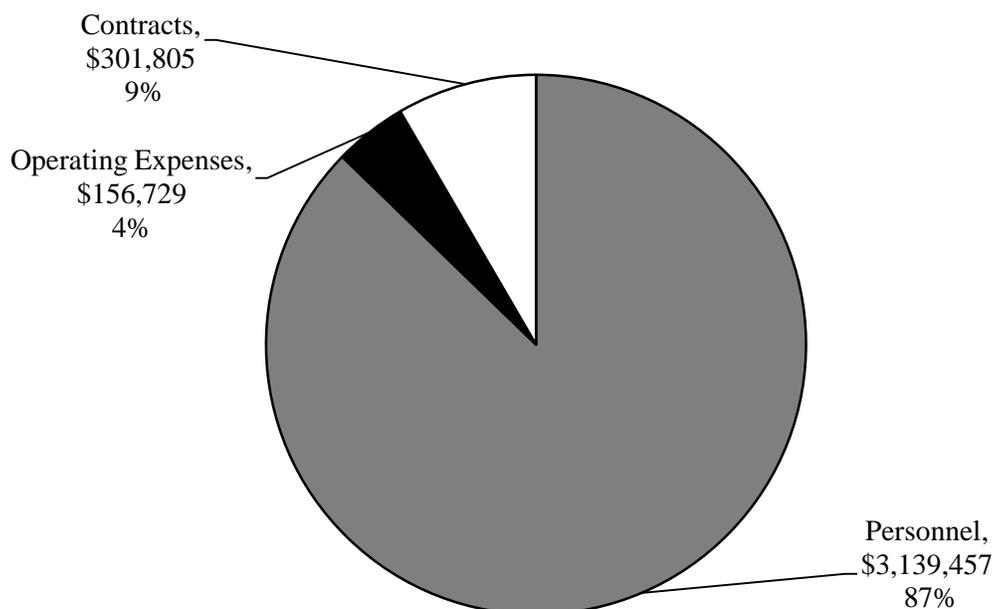
MCCR will receive \$19,731 (\$15,997 in general funds and \$3,734 in federal funds) in centrally budgeted funding for costs associated with the April 1, 2019 one-time \$500 bonus and 0.5% general salary increase.

Fiscal 2020 Allowance

Overview of Agency Spending

The fiscal 2020 allowance for MCCR is \$3.6 million. As shown in **Exhibit 4**, 87% of expenditures (\$3.1 million) are personnel costs for staff that serve in every phase of processing complaints received by the agency. The remainder of the budget (\$458,534) is for operating expenses, including rent and contracts for a variety of services, such as statewide shared services, software licenses, and printing.

Exhibit 4
Programmed Expenditures by Purpose
Fiscal 2020
(\$ in Thousands)



Source: Maryland Commission on Civil Rights

Proposed Budget Change

As shown in **Exhibit 5**, the adjusted fiscal 2020 allowance increases \$279,000, or 8.4%, from the fiscal 2019 working appropriation. The largest increase is \$107,000 for the reallocation of the Department of Information Technology shared services program.

Exhibit 5
Proposed Budget
Maryland Commission on Civil Rights
(\$ in Thousands)

How Much It Grows:	General	Special	Federal	Reimb.	Total
	Fund	Fund	Fund	Fund	Fund
Fiscal 2018 Actual	\$2,462	\$61	\$582	\$10	\$3,115
Fiscal 2019 Working Appropriation	2,544	0	775	0	3,319
Fiscal 2020 Allowance	<u>2,681</u>	<u>90</u>	<u>827</u>	<u>0</u>	<u>3,598</u>
Fiscal 2019-2020 Amount Change	\$138	\$90	\$52	\$0	\$279
Fiscal 2019-2020 Percent Change	5.4%	100%	6.7%	0%	8.4%
Where It Goes:					
Personnel Expenses					
General salary increase (3% effective July 1, 2019, and annualizing 0.5% increase effective April 1, 2019).....					\$80
Annualization of fiscal 2019 COLA.....					43
Employee retirement system.....					27
Turnover adjustments					23
Social Security					3
Health insurance					-11
Reclassifications					-15
Fiscal 2019 \$500 bonus effective April 1, 2019					-17
Workers' compensation					-26
Other Changes					
DoIT services allocation					107
Multilingual translation services.....					68
Advertising and printing materials for the 2020 MCCR Gala.....					13
Travel for conferences, including EEOC fair employment conference and HUD training					10
Usage costs for the Annapolis Data Center					-35
Other					9
Total					\$279

COLA: cost-of-living adjustment
DoIT: Department of Information Technology
EEOC: U.S. Equal Employment Opportunity Commission
HUD: U.S. Department of Housing and Urban Development
MCCR: Maryland Commission on Civil Rights

Note: Numbers may not sum to total due to rounding.

Addition of Special Funds

In April 2018, MCCR hosted an MCCR Gala in honor of the fiftieth anniversary of the signing of the federal Fair Housing Act of 1968. The gala was such a success that the commission decided to host a biannual gala to celebrate the work of MCCR and raise awareness around issues of discrimination. MCCR sold tickets and sponsorships to offset the costs of hosting the event. As a result, there was \$61,000 in special fund revenue to support the 2018 event and \$90,000 in anticipated special fund revenue to support the gala in fiscal 2020.

Operating Budget Recommended Actions

1. Concur with Governor's allowance.

Appendix 1
Current and Prior Year Budgets
Maryland Commission on Civil Rights
(\$ in Thousands)

	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Fund</u>	<u>Federal</u> <u>Fund</u>	<u>Reimb.</u> <u>Fund</u>	<u>Total</u>
Fiscal 2018					
Legislative					
Appropriation	\$2,566	\$0	\$684	\$0	\$3,250
Deficiency/Withdrawn					
Appropriation	-32	0	-8	0	-40
Cost					
Containment	-53	0	0	0	-53
Budget					
Amendments	0	85	0	10	95
Reversions and					
Cancellations	-19	-24	-94	0	-137
Actual					
Expenditures	\$2,462	\$61	\$582	\$10	\$3,115
Fiscal 2019					
Legislative					
Appropriation	\$2,508	\$0	\$768	\$0	\$3,276
Budget					
Amendments	19	0	4	0	23
Working					
Appropriation	\$2,528	\$0	\$771	\$0	\$3,299

Note: The fiscal 2019 appropriation does not include deficiencies, a one-time \$500 bonus, or general salary increases. Numbers may not sum to total due to rounding.

Fiscal 2018

The fiscal 2018 legislative appropriation for the Maryland Commission on Civil Rights (MCCR) decreased \$135,000. There was a withdrawn appropriation of \$32,000 in general funds in Section 19 of the fiscal 2019 Budget Bill due to a surplus in the health insurance account. There was also a decrease of \$53,000 for cost containment. There was \$19,000 in general fund reversions for administrative costs.

There was an increase of \$85,000 in special funds for the MCCR Gala event through ticket sales and sponsorship revenues. There was \$24,000 in canceled special funds due to lower than anticipated revenues.

Federal funds decreased \$8,000 in Section 19 of the fiscal 2019 Budget Bill, and there was \$94,000 in canceled federal funds for lower administrative costs.

There was \$10,000 in reimbursable funds from the Department of Housing and Community Development added for the MCCR Gala.

Fiscal 2019

To date, the fiscal 2019 legislative appropriation has increased \$23,000 for a general salary increase effective January 2, 2019, that was centrally budgeted.

**Appendix 2
Object/Fund Difference Report
Maryland Commission on Civil Rights**

<u>Object/Fund</u>	<u>FY 18 Actual</u>	<u>FY 19 Working Appropriation</u>	<u>FY 20 Allowance</u>	<u>FY 19 - FY 20 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	31.00	31.00	31.00	0.00	0%
02 Contractual	0.00	2.00	2.00	0.00	0%
Total Positions	31.00	33.00	33.00	0.00	0%
Objects					
01 Salaries and Wages	\$ 2,708,310	\$ 2,874,845	\$ 2,919,108	\$ 44,263	1.5%
02 Technical and Special Fees	29,930	137,805	137,305	-500	-0.4%
03 Communication	25,810	40,118	16,520	-23,598	-58.8%
04 Travel	36,151	22,500	32,500	10,000	44.4%
07 Motor Vehicles	2,025	1,000	3,500	2,500	250.0%
08 Contractual Services	170,941	119,644	301,805	182,161	152.3%
09 Supplies and Materials	14,936	9,588	10,500	912	9.5%
10 Equipment – Replacement	15,652	1,000	1,000	0	0%
11 Equipment – Additional	21,089	0	0	0	0.0%
12 Grants, Subsidies, and Contributions	175	0	0	0	0.0%
13 Fixed Charges	89,908	92,545	92,709	164	0.2%
Total Objects	\$ 3,114,927	\$ 3,299,045	\$ 3,514,947	\$ 215,902	6.5%
Funds					
01 General Fund	\$ 2,461,714	\$ 2,527,678	\$ 2,612,011	\$ 84,333	3.3%
03 Special Fund	61,060	0	90,000	90,000	N/A
05 Federal Fund	582,153	771,367	812,936	41,569	5.4%
09 Reimbursable Fund	10,000	0	0	0	0.0%
Total Funds	\$ 3,114,927	\$ 3,299,045	\$ 3,514,947	\$ 215,902	6.5%

Note: The fiscal 2019 appropriation does not include deficiencies, a one-time \$500 bonus, or general salary increases. The fiscal 2020 allowance does not include general salary increases.

**Appendix 3
Fiscal Summary
Maryland Commission on Civil Rights**

<u>Program/Unit</u>	<u>FY 18 Actual</u>	<u>FY 19 Wrk Approp</u>	<u>FY 20 Allowance</u>	<u>Change</u>	<u>FY 19 - FY 20 % Change</u>
01 General Administration	\$ 3,114,927	\$ 3,299,045	\$ 3,514,947	\$ 215,902	6.5%
Total Expenditures	\$ 3,114,927	\$ 3,299,045	\$ 3,514,947	\$ 215,902	6.5%
General Fund	\$ 2,461,714	\$ 2,527,678	\$ 2,612,011	\$ 84,333	3.3%
Special Fund	61,060	0	90,000	90,000	N/A
Federal Fund	582,153	771,367	812,936	41,569	5.4%
Total Appropriations	\$ 3,104,927	\$ 3,299,045	\$ 3,514,947	\$ 215,902	6.5%
Reimbursable Fund	\$ 10,000	\$ 0	\$ 0	\$ 0	0.0%
Total Funds	\$ 3,114,927	\$ 3,299,045	\$ 3,514,947	\$ 215,902	6.5%

Note: The fiscal 2019 appropriation does not include deficiencies, a one-time \$500 bonus, or general salary increases. The fiscal 2020 allowance does not include general salary increases.